

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA)	JUDGE DONALD C. NUGENT
)	
Plaintiff,)	CASE NO.: 1:08 CR 506
)	
vs.)	<u>MEMORANDUM OPINION</u>
)	<u>AND ORDER</u>
ANTHONY L. VIOLA,)	
)	
Defendant.)	

This matter is before the Court on Defendant, Anthony L. Viola's Motion to Obtain Public Records Pursuant to Ohio Revised Code 149.43(b)(8). (ECF #457). Pursuant to Title 1 of the Ohio Revised Code, Section 149.43(B)(8), a person who is incarcerated is not entitled to inspect or obtain copies of public records concerning a criminal prosecution unless the judge who imposed the sentence finds that the information sought is necessary to support what appears to be a justiciable claim by the incarcerated person. The Defendant in this case has made no showing that the records he requests would support any justiciable claim he may have before this Court. Mr. Viola, has already received voluminous amounts of discovery from the United States Attorney's office throughout these proceedings, including all information relevant to the charges for which he was convicted. There is no additional information contained in the public records of

the state of Ohio that would be necessary to support any justiciable federal claims that may exist in connection with his conviction on the relevant federal charges. Therefore, Defendant's Motion for an Order allowing disclosure of public records under 1 O.R.C. § 149.43(B)(8) is DENIED. IT IS SO ORDERED.

/s/ Donald C. Nugent
DONALD C. NUGENT
United States District Judge

DATED: October 22, 2014